

**BEFORE THE PLANNING  
COMMISSION FOR THE CITY OF  
BEAVERTON, OREGON**

**After recording return to:**  
City of Beaverton, City Recorder:  
4755 SW Griffith Drive  
P.O. Box 4755  
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR DESIGN  
REVIEW THREE APPROVAL FOR THE REVIEW  
OF SITE IMPROVEMENTS, INCLUDING  
CONSTRUCTION OF THREE PAVED TRAILS SIX  
FEET IN WIDTH, ONE SOFT SURFACE TRAIL, A  
PARKING AREA, PICNIC AND RESTROOM  
FACILITIES, AND OTHER ASSOCIATED  
IMPROVEMENTS (LOWAMI HART WOODS  
NATURE PARK). TUALATIN HILLS PARK &  
RECREATION DISTRICT, APPLICANT.

) ORDER NO. 2285  
) APPROVING DR2012-0004 LOWAMI HART WOODS  
) NATURE PARK DESIGN REVIEW THREE  
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This matter came before the Planning Commission on May 30, 2012, on a request for a Design Review Three approval for the review of site improvements, including construction of three paved trails six feet in width, one soft surface trail, a parking area, picnic and restroom facilities, and other associated improvements. The subject site is located in the general vicinity of SW Hart Road and SW 152<sup>nd</sup> Avenue and is more specifically identified as Tax Lot 100 on Washington County Tax Assessor's Map 1S1-20DB and Tax Lot 9200 on Washington County Tax Assessor's Map 1S1-20DA respectively. The subject site is zoned Residential Urban Standard Density (R-7) and is approximately 27.75 acres in size.

Pursuant to Ordinance 2050 (Development Code), Sections 50.15.2 and Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Planning Commission adopts the Staff Report dated May 23, 2012, as findings in response to the applicable approval criteria contained in Sections 40.03, 40.15.15.3.C, 40.20.15.3.C and 40.90.15.2.C of the Development Code.

**THEREFORE, IT IS HEREBY ORDERED** that DR2012-0004 is approved based on the testimony, reports and exhibits presented during the public hearing on the matter and upon the background facts and findings and conclusions found in the Staff Report dated May 23, 2012, subject to the following conditions:

1. Approval of DR2012-0004 is subject to approval of CU2012-0001 and TP2012-0001. (Planning/JF)
- A. Prior to any work starting on site and issuance of the site development permit, the applicant shall:**
2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development/JJD)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development/JJD)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as



revised. (Site Development/JJD)

5. Have the ownership of the subject property guarantee all public improvements, grading, storm water management (quality) facilities, Clean Water Services required plantings, and work within the floodplain by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development/JJD)
6. Submit any required easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development/JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development/JJD)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as part of the City's plan review process. (Site Development/JJD)
9. Submit plans for erosion control per the requirements of Clean Water Services and the City. (Site Development Div./JJD)
10. Submit a copy of issued permits or other approvals needed from the State of Oregon Department of State Lands and the United States Army Corps of Engineers (for work within a jurisdictional wetland). (Site Development/JJD)
11. Provide a detailed drainage analysis of the subject project identifying all affected tributary areas and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the project with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
12. Provide a final engineering analysis of the grading and construction work proposed within the 100-year floodplain as necessary to allow for a public notice to be published in a local newspaper by the City Engineer for the proposed floodplain and floodway modifications. The applicant's engineer shall certify in writing that the project as designed will meet the requirements of City Code and Clean Water Services Resolution and Order

2007-020 as they refer to the 100 year floodplain, prior to this notice being sent, including a zero-rise (or no adverse impact) floodway modification certification. The public notice and a 10 day appeal period shall occur after final approval of the site development permit AND building permit plans by the City Engineer, City Building Official, and Planning Director. (Site Development Div./JJD)

13. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total for the project. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage areas, and any gravel surfaces on each affected parcel. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, the net new impervious surface, and total final impervious surface area for each affected parcel and as a total for the project. (Site Development Div./JJD)
  14. Pay a storm water system development charge in-lieu of constructing an on-site storm water quantity (winter detention) and quality (summer treatment) facility for the net new impervious area proposed that is not treated or detained by Low Impact Development Approaches. Additionally, pay a storm water system development charge (overall system conveyance) for any net new impervious area proposed. (Site Development Div./JJD)
  15. Provide plans for the placement or relocation of underground utility lines along street frontages, within the site, and for any services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
- B. Prior to building permit issuance for the bridge, or any other building permit such as private plumbing and any electrical service, the applicant shall:**
16. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development/JJD)
  17. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development/JJD)



18. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction (in particular the new bridge) are anchored for buoyancy AND are either elevated or floodproofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, and as determined by the City Engineer and City Building Official to at least one foot above the base flood elevation. (Site Development Div./JJD)

19. Show street light relocation on building plans. (Operations/SB)

**C. Prior to final inspection of any building permit, the applicant shall:**

20. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the access frontage. (Site Development Div./JJD)

21. Have a professional architect, engineer, or surveyor submit certifications on Federal Emergency Management Agency (FEMA) standard forms, to the City Building Official and City Engineer, documenting that all at risk elements of construction have been constructed of Federal Emergency Management Agency (FEMA) defined flood-resistant materials to at least equal to one foot above the base flood elevation. (Site Development Div./JJD)

**D. Prior to release of performance security, the applicant shall:**

22. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development/JJD)

23. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development/JJD)

24. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the rain garden/storm water treatment areas, as determined by the City Engineer. If

the plants are not well established (as determined by the City Engineer and City Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Public Works Director prior to release of the security. (Site Development/JJD)

25. Ensure all site improvements, including grading and landscaping are completed in accordance with landscape plans except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/JF)
26. Ensure construction of any walls, fences and other structures are completed in accordance with the elevations and plans except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/JF)

Motion CARRIED, by the following vote:

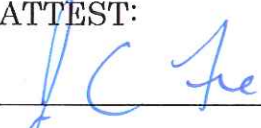
AYES: Overhage, Maks, Doukas, Fagin, Nye, Winter, and Stephens.  
NAYS: None.  
ABSTAIN: None.  
ABSENT: None.

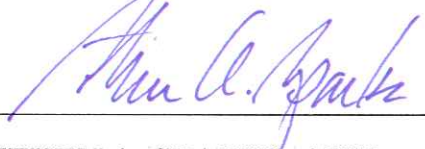
Dated this 11<sup>th</sup> day of June, 2012.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2285 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community and Economic Development Department's office by no later than 5:00 p.m. on Thursday, June 21, 2012.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

  
\_\_\_\_\_  
JANA FOX  
Associate Planner

  
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STEVEN A. SPARKS, AICP  
Planning Division Manager

APPROVED:

  
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RIC STEPHENS  
Chairman